

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,520	09/02/2003	Jonathon L. Kimmel	00138CIPCON(3600-360-01)	3339
75	90 09/21/2005		EXAMINER	
Martha Ann Finnegan, Esq.			MAI, NGOCLAN THI	
Cabot Corporation 157 Concord Road			ART UNIT	PAPER NUMBER
Billerica, MA 01821-7001			1742	· .
			DATE MAILED: 09/21/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	-	Application No.	Applicant(s)	L		
Office Action Summary		10/653,520	KIMMEL ET AL.			
		Examiner	Art Unit			
	·	Ngoclan T. Mai	1742			
Period fo	The MAILING DATE of this communication Reply	ation appears on the cover shee	t with the correspondence addres	s		
A SH WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR CHEVER IS LONGER, FROM THE MAI insions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commun operiod for reply is specified above, the maximum statute to reply within the set or extended period for reply will reply received by the Office later than three months after the part of the provision of the pro	ILING DATE OF THIS COMMU 37 CFR 1.136(a). In no event, however, ma ication. tory period will apply and will expire SIX (6) I, by statute, cause the application to becom	JNICATION. Bay a reply be timely filed MONTHS from the mailing date of this community BANDONED (35 U.S.C. § 133).			
Status						
1)⊠	Responsive to communication(s) filed	on 29 June 2005.				
2a)□	•)⊠ This action is non-final.				
3)[, 					
	closed in accordance with the practice	under Ex parte Quayle, 1935	C.D. 11, 453 O.G. 213.			
Dispositi	on of Claims					
5)⊠ 6)⊠	Claim(s) <u>See Continuation Sheet</u> is/are 4a) Of the above claim(s) is/are Claim(s) <u>See Continuation Sheet</u> is/are Claim(s) <u>38,39,86-91 and 151-154</u> is/are Claim(s) <u>92-97 and 155-158</u> is/are objection claim(s) are subject to restriction	withdrawn from consideration. e allowed. are rejected. ected to.				
Applicati	on Papers					
	The specification is objected to by the f	- - - -				
, —	The drawing(s) filed on is/are: a		to by the Examiner.			
,—	Applicant may not request that any objection					
11)□	Replacement drawing sheet(s) including the The oath or declaration is objected to be	•	***	• •		
Priority ι	ınder 35 U.S.C. § 119	1				
12) <u></u> a)∣	Acknowledgment is made of a claim for All b) Some * c) None of: 1. Certified copies of the priority do	ocuments have been received. Ocuments have been received in the priority documents have be larged in the priority documents have be larged.	n Application No een received in this National Stag	je		
Attachmen	t(s)	•				
1) Notic	e of References Cited (PTO-892)		ew Summary (PTO-413)			
3) 🔲 Inform	e of Draftsperson's Patent Drawing Review (PTC nation Disclosure Statement(s) (PTO-1449 or PT r No(s)/Mail Date		No(s)/Mail Date of Informal Patent Application (PTO-152))		

U.S. Patent and Trademark Office PTOL-326 (Rev. 7-05)



Continuation of Disposition of Claims: Claims pending in the application are 28-41,47-55,57,58,60,61,63,64,66,67,69,70,72,73,75,76,78,79,81,82,84-97 and 113-166.

Continuation of Disposition of Claims: Claims allowed are 28-37,52-55, 57-58,60,61,63,64,66,67,69,70,72,73,75,76,78,79,81,82,84,85,113-150 and 159-166.

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a

prior Office action.

2. Claims 38-39, 86-91, 151-154 are rejected under 35 U.S.C. 102(e) as being anticipated by

Shekhter et al. (U.S. Patent No. 6,849,104)

Shekhter et al disclose the claimed agglomerated having average particle size of 100 nm, col. 8,

lines 32-33, col. 10, lines 63-65.

3. Claims 28-37, 52-58, 60-61, 63-64, 66-67, 69-70, 72-73, 75-76, 78-79, 81-82, 84-85, 113-150,

159-166 are deemed allowable.

4. Claims 92-97 and 155-158 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Ngoclan T. Mai whose telephone number is (571) 272-1246. The examiner can normally

be reached on 9:30-6:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy

King can be reached on (571) 272-1244. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at

866-217-9197 (toll-free).

Ngoclan T. Mai Primary Examiner

Art Unit 1742